

Committee on Resources

Subcommittee on Forests & Forest Health

Witness Testimony

Testimony on
Oversight hearing on
Forest Service Law Enforcement
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Energy, Resources, and Science Issues
General Accounting Office
Before the
House of Representatives
Subcommittee on Forests and Forest Health
June 23, 1998

Madam Chairman and Members of the Subcommittee:

We are pleased to be here today to discuss law enforcement activities in the Forest Service. My remarks today are based on a report that we issued in July 1997.⁽¹⁾ That report was done at the request of this Subcommittee, among others, and asked us to provide information on a number of questions about key aspects of the Forest Service law enforcement activities. Most of the information we provided focused on two areas: (1) the numbers of employees involved in law enforcement activities, and (2) the costs associated with these activities. In addition, you asked us to provide some information on other aspects of Forest Service law enforcement including interaction with other federal, state, and local law enforcement agencies; the number and types of crimes committed on national forest lands; and the number of complaints against the agency's law enforcement staff.

To meet the needs of the Subcommittee, our 1997 report was prepared under very tight time frames. To obtain the information we needed in the time frame requested, we obtained information that was readily available from Forest Service headquarters, and we did not have the time necessary to assess or verify the accuracy of the data we obtained. Our report was based on fiscal year 1996 data which was the latest available at that time. In preparation for this hearing, we worked with the Forest Service to update much of the information we are providing to fiscal year 1997.

In summary, in fiscal year 1997, the Forest Service's law enforcement program included 708 agency staff including law enforcement officers, special agents, reserve law enforcement officers, and administrative staff. The cost of law enforcement in the agency was about \$68.5 million. This included about \$43.8 million in salaries, \$18.4 million in support costs, and \$6.3 million in reimbursements to state and local law enforcement agencies for assisting with law enforcement activities on national forest lands. (A summary table of the number of staff and costs associated with the Forest Service's law enforcement program is included in app. I.)

BACKGROUND

Most of the law enforcement activities of the Forest Service are authorized under titles 16, 18, and 21 of the U.S. Code. The Office of Law Enforcement and Investigations within the Forest Service is responsible for investigating offenses against the United States that occur within or have a nexus to the national forest system lands--which include 155 national forests and 20 national grasslands covering about 192 million acres. The types of investigations and enforcement actions in which the Forest Service is involved include wildlife crimes, fire/arson, timber and other property theft, theft and/or destruction of archeological resources or natural resources, illegal occupancy of national forest system lands, and threats and assaults against Forest Service employees. In addition, drug enforcement actions, authorized by the National Forest System Drug Control Act of 1986, as amended, are designed to detect and prevent the cultivation and manufacturing of marijuana on national forest system lands.

NUMBER OF LAW ENFORCEMENT EMPLOYEES

In fiscal year 1997, the Forest Service employed 479 law enforcement officers, 149 special agents, 41 reserve law enforcement officers, and 39 administrative support personnel. With the exception of 16 staff that work in the Washington D.C. office, these staff are primarily assigned to field locations. Law enforcement officers perform and supervise a variety of duties that include the protection of federal property and resources from natural or user-related degradation, the provision of safety and interpretive information to visitors, assisting search and rescue operations, assisting wildland fire suppression, and other duties. Special agents are involved in planning and conducting investigations relating to alleged or suspected violations of criminal laws. Special agents require a knowledge of such items as laws of evidence, criminal investigative techniques, court decisions concerning the admissibility of evidence, constitutional rights, search and seizure and related issues, and other criminal investigative skills.

The 41 reserve law enforcement officers' principal duties are outside of law enforcement--such as timber or recreation. These staff may be called upon to perform law enforcement duties on an emergency or as-needed basis. Forest Service headquarters officials estimated that reserve law enforcement officers spend between 10 percent and 35 percent of their time performing law enforcement duties. Administrative support personnel perform a variety of functions, including data entry for case management, computer support, budget preparation and analysis, procurement, and time and attendance.

COSTS ASSOCIATED WITH LAW ENFORCEMENT

The cost of law enforcement in the agency in fiscal year 1997 included about \$43.8 million in payroll, and \$18.4 million in support costs. The total annual payroll for fiscal year 1997 for the law enforcement officers was about \$29.5 million, while the payroll for the special agents was about \$12.6 million. In fiscal year 1997, the payroll for the administrative staff was about \$1.7 million. According to Forest Service officials, no payroll information was available for the 41 reserve law enforcement officers because their principal duties were outside of law enforcement.

In addition to payroll, in fiscal year 1997, the Forest Service spent about \$18.4 million in support costs for its law enforcement personnel. This included about \$5.2 million for support costs to regions and field units for rent, telephone, computer use, and radio dispatching services; about \$4.8 million for fleet equipment; about \$2.6 million for equipment and supplies; about \$2.2 million for travel; \$1.3 million for transfer of station costs, and about \$2.3 million for other costs, such as headquarters support, training, uniforms, and special equipment.

For the 1997 report, you asked us to provide information on the pay scales of federal and nonfederal law

enforcement personnel. To address this request, we obtained information from the Department of Justice, which collected 1993 data on starting salaries for entry-level law enforcement officers from 661 state and local law enforcement agencies across the nation. The data showed a wide range of starting salaries from a low of about \$10,000 in Louisiana to a high of about \$50,000 in California. (A listing of the range in salaries for each state can be found in app. II.) As a comparison, the Forest Service's entry-level salary in 1993 was \$23,678.

OTHER ASPECTS OF FOREST

SERVICE LAW ENFORCEMENT

To assist with providing law enforcement, the Forest Service frequently enters into cooperative agreements with state and local law enforcement agencies. These cooperative agreements provide for the enforcement of state and local laws on national forest system lands. In 1997, there were 717 cooperative agreements with state and local law enforcement agencies. Of these agreements, 546 were cooperative patrol agreements, which involved conducting routine patrols through the Forest Service's developed recreation areas, and 171 were agreements focusing on drug enforcement issues. As part of the agreement, the Forest Service reimburses the state and local agency for the cost of its activities. In fiscal year 1997, the Forest Service paid about \$6.3 million to reimburse state and local law enforcement agencies for the costs of the services provided under both patrol and drug enforcement cooperative agreements.

For the 1997 report, you asked us to provide some information on how frequently federal agencies such as the FBI and the Drug Enforcement Agency (DEA) investigate crimes occurring on national forest lands. The FBI and DEA, as a general rule, have deferred to the Forest Service the investigative responsibility for violations occurring within national forest system lands. The Forest Service does not routinely collect information on referrals to FBI and DEA. However, according to the Forest Service, the FBI and DEA are rarely involved in Forest Service criminal investigations. The FBI has primary jurisdiction for a number of crimes, including organized crime, financial crime, foreign counterintelligence, civil rights, and others. By practice, the FBI does not involve itself with the types of crimes handled by the Forest Service. The Forest Service keeps DEA informed of investigations that require investigative or enforcement powers outside the boundaries of the national forest system.

The 1997 report also provided information on the number of offenses that occurred on national forest system lands. (An offense means that a crime has occurred. An arrest generally means that someone has been identified as committing an offense.) In 1996, there were 3,481 offenses involving serious misdemeanors and felonies such as assaults, grand theft, and murder, and 118,596 petty offenses such as careless driving, discharging a firearm, use of firecrackers, alcohol violations, and permit violations.

Finally, the report provided information on the number of complaints against Forest Service law enforcement personnel. In preparing for this testimony, we obtain updated information which showed that there were 4 complaints in 1992; 13 complaints in 1993; 20 complaints in 1994; 25 complaints in 1995; 11 complaints in 1996; and 14 complaints in 1997. In 1997, as an example, the types of complaints made against agency law enforcement staff included falsifying time and attendance reports, verbal threats, obstruction of justice, and inappropriate discharge of a weapon. The Forest Service has a system to track the investigation and resolution of complaints against law enforcement staff. Depending on the nature of the complaint, it will either be investigated by agency regional human resources staff, the Department of Agriculture Office of the Inspector General, Forest Service law enforcement staff, or the Department of Justice.

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This concludes my statement. We would be happy to respond to any questions that you or any other Members of the Subcommittee may have.

Costs and Staff Associated with the Forest Service's Law Enforcement Program,

Fiscal Year 1997

	Cost	Number of Staff
Law Enforcement Officers	\$29.5	479
Special Agents	\$12.6	149
Administrative Staff	\$1.7	39
Reserve Law Enforcement Officers	n/a ^a	41
Support Activities ^b	\$18.4	n/a
Cooperative Agreements ^c	\$6.3	n/a
Total	\$68.5	708

^aNo payroll information was available for the 41 reserve law enforcement officers because their principal duties were outside of law enforcement.

^bThis included about \$5.2 million for support costs to regions and field units for rent, telephone, computer use, and radio dispatching services; about \$4.8 million for fleet equipment; about \$2.6 million for equipment and supplies; about \$2.2 million for travel; \$1.3 million for transfer of station costs, and about \$2.3 million for other costs, such as headquarters support, training, uniforms, and special equipment.

^cThere were 717 cooperative agreements with state and local law enforcement agencies.

Annual Salaries of Nonfederal Law Enforcement Personnel, by State

**Range in 1993 annual starting salaries for entry-level law enforcement officers for
sampled^a city, county, and state agencies**

State	
Alabama	\$18,590 to \$22,464
Alaska	\$39,354 to 42,192
Arizona	\$24,741 to 29,328
Arkansas	\$18,402 to 21,346
California	\$25,312 to \$50,244
Colorado	\$22,884 to 29,369
Connecticut	\$25,000 to 37,102
Delaware	\$27,403 to 29,080
District of Columbia	\$25,108 to 26,820

Florida	\$15,800 to 31,385
Georgia	\$17,097 to 23,796
Hawaii	\$27,240 to 29,424
Idaho	\$20,654 ^b
Illinois	\$24,315 to 32,802
Indiana	\$18,283 to 33,059
Iowa	\$24,252 to 29,531
Kansas	\$22,670 to 26,400
Kentucky	\$19,000 to 20,770
Louisiana	\$10,200 to 20,532
Maine	\$19,499 to 23,420
Maryland	\$22,000 to 27,454
Massachusetts	\$20,805 to \$29,815
Michigan	\$20,422 to 29,833
Minnesota	\$25,000 to 33,346
Mississippi	\$20,904 ^b
Missouri	\$18,000 to 25,985
Montana	\$21,504 to 22,325
Nebraska	\$21,489 to 31,335
Nevada	\$23,230 to 31,147
New Hampshire	\$23,700 to 27,997
New Jersey	\$15,500 to 36,876
New Mexico	\$17,855 to 20,904
New York	\$20,890 to 34,717
North Carolina	\$18,900 to 23,741
North Dakota	\$23,820 ^b
Ohio	\$18,188 to 33,616
Oklahoma	\$18,000 to 25,390
Oregon	\$22,076 to 32,172
Pennsylvania	\$23,500 to 30,500
Rhode Island	\$20,529 to 30,987
South Carolina	\$17,484 to 23,150
South Dakota	\$22,297 to 25,411
Tennessee	\$17,810 to 25,247
Texas	\$19,000 to 29,022
Utah	\$19,200 to \$23,088

Vermont	\$18,720 ^b
Virginia	\$19,040 to 30,723
Washington	25,682 to 37,480
West Virginia	\$20,976 to 21,659
Wisconsin	\$19,714 to 29,873
Wyoming	\$18,828 ^b

^a661 state and local law enforcement agencies.

^bOnly one agency sampled.

Source: Law Enforcement Management and Administrative Statistics, 1993: Data for Individual State and Local Agencies With 100 or More Officers, Bureau of Justice Statistics, Office of Justice Programs, U.S. Department of Justice.

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1. Federal Lands: Information About Law Enforcement Activities (GAO/RCED-97-189R, July 3, 1997).